

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent of: Chen et al. Confirmation No.: 6007
Patent No.: 09/992,860 Art Unit: 1654
Issued: November 14, 2001 Examiner: Michelle C. Flood
For: Black Tea Extract For Attorney Docket No.: 11592-025-999
Prevention Of Disease (formerly RU-0173)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56 AND 1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent and Trademark Office ("PTO") of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to the references listed on the attached revised PTO 1449 form entitled "List of References Cited by Applicant."

References C11-C16 are listed on the attached revised form PTO 1449. A copy of each of references C11-C16 is submitted herewith.

Identification of the submitted references is not to be construed as an admission by Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references therein as "Prior Art." As an alternative, Applicants submit herewith a "revised PTO Form 1449" entitled "List of References Cited" instead of "List of Prior Art Cited."

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

This Information Disclosure Statement is being submitted before the mailing date of a first Office Action on the merits, therefore, pursuant to 37 C.F.R. § 1.97(b)(3), no fee is believed due. However, should the Patent Office determine otherwise, please charge any required fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: June 30, 2006

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Enclosures



Substitute for Form 1449A

LIST OF REFERENCES CITED BY APPLICANT
(Use several sheets if necessary)

ATTY. DOCKET NO.

11592-025-999

APPLICATION NO.

09/992,860

APPLICANT

Chen et al.

FILING DATE

November 14, 2001

ART UNIT

1654

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR
A02				
A03				

FOREIGN PATENT DOCUMENTS

	FOREIGN PATENT DOCUMENT COUNTRY CODE, NUMBER, KIND CODE (IF KNOWN)	DATE	NAME	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR	T
	B03				
	B04				
	B05				

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

C11	Chen et al. Alteration of gene expression in normal-appearing colon mucosa of APC(min) mice and human cancer patients. Cancer Res. 2004 May 15;64(10):3694-700
C12	Drexler et al. Leukemia cell lines: in vitro models for the study of acute promyelocytic leukemia. Leuk Res. 1995 Oct;19(10):681-91. Review
C13	Huang et al., Effect of black tea theaflavins on 12-O-tetradecanoylphorbol-13acetate-induced inflammation. Ch. 24 of <i>Herbs: Challenges in Chemistry and Biology</i> . Wang et al. eds. American Chemical Society, 2006, Washington, DC, pp. 314-325
C14	JAX [®] Mice Data Sheet : C57BL/6J-Apc ^{Min} /J stain. Information provided by "The Jackson Laboratory" website regarding mouse strain C57BL/6J-Apc ^{Min} /J.
C15	Lu et al. Differential effects of theaflavin monogallates on cell growth, apoptosis, and Cox-2 gene expression in cancerous versus normal cells. Cancer Res. 2000 Nov 15;60(22):6465-71
C16	Sacks PG. Cell, tissue and organ culture as in vitro models to study the biology of squamous cell carcinomas of the head and neck. Cancer Metastasis Rev. 1996 Mar;15(1):27-51. Review

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

NYJD: 1616427.1